



RCE
TFW

Practitioner's Docket No. 2757/101

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Marc O. Schurr

Application No.: 10/722,109
Filed: November 25, 2003
For: Medical Implant

Group No.: 3738
Examiner: Matthews, W.H.

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR CONTINUED EXAMINATION (RCE)
(37 C.F.R. § 1.114)

1. Applicant hereby requests continued examination, in accordance with 37 C.F.R. § 1.114, for the above identified application. Applicant requests that the request for continued examination be based on Applicant's Response dated December 20, 2005.

Applicant requests that the Amendment filed on March 20, 2006, be disregarded.

TIME REQUEST IS BEING MADE

2. This request is being submitted:
 - i. Prior to abandonment of the application

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is *mandatory*;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

[x] deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

[x] with sufficient postage as first class mail.

37 C.F.R. § 1.10*

☐ as "Express Mail Post Office to Addressee"

Mailing Label No. _____ (mandatory)

TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, (571) 273 - 8300.

Signature

Date: March 22, 2006

Timothy M. Murphy

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

ENCLOSURES

3. Enclosed herewith is:

Amendment filed on December 20, 2005.

FEE FOR REQUEST (37 C.F.R. § 1.17(e)).

4. This application is on behalf of other than small entity.

Continued Prosecution Request Fee: 790.00

FEE FOR CLAIMS

5. The fee for claims (37 C.F.R. § 1.16(b)-(d)) has been calculated as shown below:

| | (Col.1) | (Col. 2) | (Col. 3) | OTHER THAN A SMALL ENTITY | |
|---|---|---------------------------------------|------------------|------------------------------|---------------|
| | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST NO. PREVIOUSLY PAID FOR | PRESENT EXTRA | RATE | ADDIT. FEE |
| TOTAL | 5 | – 28 | = 0 | x \$ 50.00 | = \$ 0.00 |
| INDEP. | 1 | – 3 | = 0 | x \$ 200.00 | = \$ 0.00 |
| FIRST PRESENTATION OF MULTIPLE DEP. CLAIM | | | | + \$ 360.00 | = \$ 0.00 |
| | | | | TOTAL ADDIT. FEE | \$ 0.00 |

No additional fee for claims is required.

EXTENSION OF TIME

6. The proceedings herein are for a patent application, and the provisions of 37 C.F.R. § 1.136(a) apply.

Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a)(1)-(4), for three months:

Fee: \$1,020.00

If an additional extension of time is required, please consider this a petition therefor.

An extension for three month(s) was requested on March 20, 2006, and the fee paid therefor of \$1,020.00 is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request: \$0.00

If an extension fee is now due because of the Applicant's request to disregard the March 20, 2006 Response, please charge the extension fee of \$1,020 to Deposit Account No. 19-4972.

TOTAL FEE(S) DUE

7. The total fee(s) due is/are:

| | |
|--|----------|
| Continued Prosecution Fee (Section 1.17(e)) | \$790.00 |
| Fee(s) for additional claims (Section 1.16(b)-(d)) | \$0.00 |
| Extension of time fee (Section 1.17(a)(1)-(4)) | \$0.00 |
| Total Fee(s) Due: | \$790.00 |

PAYMENT OF FEE(S) DUE

8. Please pay the fee(s) for this continued examination application as follows:

Enclosed is a check in the amount of \$790.00.

If any additional claim or extension fees are due, please Deposit Account 19-4972.

INVENTORSHIP

9. This application as amended names as inventors the same inventors as previously designated for the claims.

Date: March 22, 2006



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